

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ELIE KHEN, DORON ORBACH and BEN'S  
INTERNATIONAL LUXURY TRANSPORTATION,  
LLC, HAGAR FINE, GAL HALEVI, WILLIAM  
ORGANEK, and DANA HOLLAR SCHWARTZ,  
individually and on behalf of others similarly situated,

CASE #: 23-cv-10762 (JLR)

CIVIL ACTION

Plaintiffs,

-against-

**ORDER OF DISMISSAL  
WITHOUT PREJUDICE**

US COACHWAYS, INC., JOHN DOE NOS. 1-99 (the  
names being fictitious, said persons intended to be  
drivers for and employees of US COACHWAYS, INC.  
who refused to transport Plaintiffs and the putative  
class on or about November 14, 2023), and ABC  
CORPORATIONS 1-99 (the names being fictitious,  
said entities intended to be owners and/or operators of  
busses who refused to transport Plaintiffs and the  
putative class on or about November 14, 2023),

Defendants.

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**WHEREAS**, on April 25, 2024, Plaintiffs filed an Amended Complaint asserting various  
causes of action against US Bus Charter & Limo Inc. d/b/a US Coachways s/h/a US Coachways,  
Inc. (hereinafter "Coachways") and several fictitiously-named defendants (*see* ECF Doc. No. 29);  
and

**WHEREAS**, Coachways filed a responsive pleading (*see* ECF Doc. No. 32), but all claims  
against Coachways have now been dismissed, both by Order of this Court (*see* ECF Doc. No. 49)  
and by Stipulation of the Parties (*see* ECF Doc. No. 53); and

**WHEREAS**, to date, no other Defendant besides Coachways has answered, appeared,  
and/or otherwise responded to Plaintiffs' Amended Complaint; and

**WHEREAS**, pursuant to Fed. R. Civ. P. 41(a)(1), a plaintiff may dismiss an action without prejudice by filing a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment; and

**WHEREAS**, in lieu of filing a notice of dismissal, and for the sake of thoroughness and the removal of any doubt, Plaintiffs are respectfully requesting that the Court instead sign and execute this Order; and

**WHEREAS**, vis-à-vis the submission and filing of this Order, Plaintiffs hereby consent to the dismissal without prejudice of the Amended Complaint as against all remaining Defendants in the above-captioned matter;

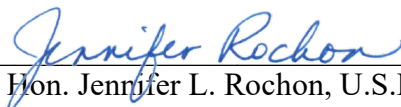
**THEREFORE**, it is on this, the 27 day of March, 2025:

1. **ORDERED** that, pursuant to Fed. R. Civ. P. 41(a)(1), Plaintiffs' Amended Complaint (ECF Doc. No. 29) be and is hereby voluntarily dismissed without prejudice in its entirety; and it is further

2. **ORDERED** that, because this Order operates as a dismissal without prejudice as to all remaining Parties, the Clerk of Court be and is hereby directed to terminate the docket.

SO ORDERED:

Date: March 27, 2025  
New York, New York

  
Hon. Jennifer L. Rochon, U.S.D.J.